IN THE COURT OF APPEALS FIRST APPELLATE DISTRICT OF OHIO HAMILTON COUNTY, OHIO

STATE OF OHIO, : APPEAL NO. C-160208

TRIAL NO. C-15CRB-31061

Plaintiff-Appellee, :

vs. : JUDGMENT ENTRY.

GREGORY KIMBLE, :

Defendant-Appellant. :

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

After a bench trial in the Hamilton County Municipal Court, defendant-appellant Gregory Kimble was convicted of assault, in violation of R.C. 2903.13.

In his sole assignment of error, Kimble argues that his conviction was against the manifest weight of the evidence. We disagree.

The victim in this case testified that Kimble had approached her from behind, grabbed her by her hair, and struck her in the back of her head with his fist, which caused her to fall to the ground. Kimble then repeatedly punched her in the face and kicked her in the back. As a result of the attack, the victim had a black eye, a swollen cheek, and bruising on her back.

After reviewing the record, we cannot say that the trier of fact lost its way and created such a manifest miscarriage of justice that we must reverse Kimble's conviction and order a new trial. *See State v. Thompkins*, 78 Ohio St.3d 380, 387, 678 N.E.2d 541

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(1997). Kimble primarily argues that the victim's testimony was not credible. But we note that the weight to be given the evidence and the credibility of the witnesses are primarily for the trier of fact. *State v. DeHass*, 10 Ohio St.2d 230, 227 N.E.2d 212 (1967), paragraph one of the syllabus. Further, there was no requirement that the state corroborate the victim's uncontradicted testimony. *See State v. Thomas*, 1st Dist. Hamilton No. C-120561, 2013-Ohio-5386, ¶45.

Accordingly, we overrule the assignment of error and affirm the trial court's judgment.

Further, a certified copy of this judgment entry shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

MOCK, P.J., CUNNINGHAM and ZAYAS, JJ.

To the clerk:	
Enter upon the journal of the court on February 3, 2017	
per order of the court	
Presiding Judge	